

**Notice of Allowability**

Application No.

10/626,674

Applicant(s)

KIM ET AL.

Examiner

Art Unit

Christian A. Hannon

2685

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/25/2003.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 6/28/05, 10/8/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **REASONS FOR ALLOWANCE**

1. Claims 1-9 are allowed over the cited prior art.
2. The following is an examiner's statement of reasons for allowance:

In regards to independent claim 1 Kim (US 2002/0111140) teaches a Bluetooth headset for wirelessly communicating with a communication terminal comprising a main body and a speaker (Page 2, [0019]; Kim), a boom being pivotably mounted to the main body and one end of which has a microphone attached thereon (Figure 2, Items 1,117a & b; Kim), a boom switch being switched on or off according to an open or closed state of the boom (Page 2, [0019]; Figure 1, Item 119a; Kim), a controller being built in the main body, for detecting an open or closed state of the boom according to an on/off state of the boom switch (Page 2, [0019], Figure 1, Item 111; Kim). However Kim fails to teach wherein the controller detects if a power on/off switch is switched on, setting an incoming call indication mode to a ringing or melody mode if the boom is opened from the main body, setting an incoming call indication mode to a vibration mode if the boom is closed to the main body, and performing an incoming call indication operation at a predetermined incoming call indication mode upon receiving an incoming call signal from the outside and a vibration motor being built in the main body and vibrated upon receiving a control signal from the controller.

Regarding independent claim 6, Kim teaches a method for informing a user of an incoming call signal in a Bluetooth headset wirelessly communicating a communication terminal having a Bluetooth function comprising the steps of a) if the Bluetooth headset is powered on, detecting an open or closed state of a boom having a microphone (Page

2, [0019]; Kim). However, Kim fails to teach a method for informing a user of an incoming call signal in a Bluetooth headset wirelessly communicating a communication terminal having a Bluetooth function, comprising the further steps of b) if the boom is opened from a main body contained in the Bluetooth headset, setting an incoming call indication mode to a ringing or melody mode, c) if the boom is closed to the main body, setting an incoming call indication mode to a vibration mode and d) upon receiving an incoming call signal, informing a user of the incoming call signal at a predetermined incoming call indication mode.

Claims 2-5 are allowed as they are dependent on independent claim 1.

Claims 7-9 are allowed as they are dependent on independent claim 6.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Abramov (US 2005/0107131) discloses a wireless apparatus with detachable element.

Hasegawa (US 6,249,684) discloses a wireless telephone with an ergonomic grip or handle.

Hasegawa (US 6,192,221) discloses a telephone with angled boom mike.

Tsai et al (US 2005/0208980) disclose an adjustable Bluetooth wireless earphone.

Bodley (US 2005/0153748) discloses a headset with variable gain based on position of microphone boom.

Parker (US 2004/0204207) discloses a hat for hands-free telephone operation.

Fitzgerald (US 2002/0111197) discloses a cordless telephone headset system.

Jesiek (US 6,010,216) discloses "hear speak" two-way voice radio communications eyeglasses.

Hahn et al (US 6,230,029) disclose a modular wireless headset system.

Lin (US 2003/0119565) discloses a folding collapsible wireless transmitter-receiver earphone.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian A. Hannon whose telephone number is (571) 272-7385. The examiner can normally be reached on Mon. - Fri. 8:00 AM - 4:30 PM.

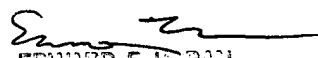
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christian A. Hannon  
November 25, 2005



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